

STATE OF NEW JERSEY  
Department of Law and Public Safety  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
1100 Raymond Blvd. Newark, N.J. 07102

BULLETIN 1791

May 20, 1968

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BULLETIN 1791

May 20, 1968

1. COURT DECISIONS - PAULA v. DIVISION OF ALCOHOLIC BEVERAGE CONTROL - DIRECTOR AFFIRMED.

SUPERIOR COURT OF NEW JERSEY  
APPELLATE DIVISION  
A-74-67

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST LOUIS PAULA,  
t/a LOUIS PAULA'S CAFE, 683  
MONTGOMERY STREET, JERSEY CITY,  
NEW JERSEY, HOLDER OF PLENARY  
CONSUMPTION LICENSE C-19 ISSUED  
BY THE MUNICIPAL BOARD OF  
ALCOHOLIC BEVERAGES CONTROL OF  
THE CITY OF JERSEY CITY,

LOUIS PAULA,

Licensee-Appellant,

vs.

DEPARTMENT OF LAW AND PUBLIC  
SAFETY, DIVISION OF ALCOHOLIC  
BEVERAGE CONTROL,

Division-Respondent.  
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Argued March 18, 1968 - Decided April 2, 1968

Before Judges Conford, Collester and Labrecque

On appeal from decision of the Director of the  
Division of Alcoholic Beverage Control.

Mr. William A. O'Brien argued the cause for appellant  
(Messrs. Messano & Messano, attorneys).

Mr. William J. Brennan, III, Assistant Attorney  
General, argued the cause for respondent (Mr.  
Arthur J. Sills, Attorney General of New Jersey,  
attorney).

PER CURIAM

(Appeal from Director's decision in Re Paula,  
Bulletin 1762, Item 2. Director affirmed. Opinion not approved  
for publication by Court committee on opinions.)

2. DISCIPLINARY PROCEEDINGS - ORDER REIMPOSING SUSPENSION STAYED DURING PENDENCY OF APPEAL.

In the Matter of Disciplinary Proceedings against

LOUIS PAULA  
t/a LOUIS PAULA'S CAFE  
683 Montgomery Street  
Jersey City, New Jersey

SUPPLEMENTAL  
ORDER

Holder of Plenary Retail Consumption License C-19, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City.

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Messano and Messano, Esqs., by Ralph P. Messano, Esq., Attorneys for Licensee.  
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

On September 20, 1967, Conclusions and Order were entered herein suspending the license for seventy days for permitting acceptance of numbers bets on the licensed premises. Re Paula, Bulletin 1762, Item 2.

Prior to the effectuation of the suspension, on appeal filed the Appellate Division of the Superior Court stayed the operation of the suspension until the outcome of the appeal.

The court affirmed the Director's action on April 2, 1968. Paula v. Division of Alcoholic Beverage Control (App. Div. 1968), not officially reported, recorded in Bulletin 1791, Item 1. Mandate on affirmance having now been received, the suspension may be reimposed.

Accordingly, it is, on this 25th day of April, 1968,

ORDERED that Plenary Retail Consumption License C-19, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to Louis Paula, t/a Louis Paula's Cafe, for premises 683 Montgomery Street, Jersey City, be and the same is hereby suspended for the balance of its term, viz., until midnight June 30, 1968, commencing at 2 a.m. Thursday, May 2, 1968; and it is further

ORDERED that any renewal license that may be granted shall be and the same is hereby suspended until 2 a.m. Thursday, July 11, 1968.

JOSEPH M. KEEGAN  
DIRECTOR

3. DISCIPLINARY PROCEEDINGS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - FALSE STATEMENT IN LICENSE APPLICATION - PRIOR SIMILAR RECORD - AGGRAVATING CIRCUMSTANCES - LICENSE REVOKED.

In the matter of Disciplinary  
Proceedings against

JA-DA, INC.  
t/a Brick's Tavern  
205-207 Presidential Blvd.  
Paterson, N. J.

## CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-93, issued by the Board of Alcoholic Beverage Control for the City of Paterson.

Nussman, Kaplan, Rosenthal & Rubinowitz, Esqs., by Samuel R. Kaplan, Esq., Attorneys for Licensee.  
Edward J. Sheils, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to charges alleging that (1) on November 11, 1967 it permitted removal of an opened pint bottle of whiskey from the licensed premises during hours prohibited by Rule 1 of State Regulation No. 38 and (2) in its current application for license failed fully to disclose its record of prior suspensions of license, in violation of R.S. 33:1-25.

Licensee has a previous record of suspension of license by the Director for ten days effective April 5, 1965 for sale in violation of State Regulation No. 38 (Re Ja-Da, Inc., Bulletin 1614, Item 9), by the municipal issuing authority for twenty days effective July 19, 1965 for sale in violation of State Regulation No. 38 and local hours regulation (both of which being the subject of the second charge), by the municipal issuing authority for fifteen days effective July 15, 1966 for sale in violation of local hours regulation, and by the Director for eighty-five days effective January 5, 1967 for sale in violation of State Regulation No. 38 (Re Ja-Da, Inc., Bulletin 1717, Item 3).

In addition, the licensee was pointedly warned that "any future similar violation may be deemed to be in callous disregard of the regulation and cause for outright revocation of the license." Re Ja-Da, Inc., supra.

I have carefully examined and considered the contents of a letter dated March 4, 1968 from the attorney for the licensee setting forth alleged mitigating circumstances. He explains that a porter employed by the licensee made the sale to the agents, in the temporary absence of the bartender. He also admits that the second charge stemmed from "negligence and carelessness" on the part of the principal officer of the licensee and/or the accountant who prepared the application. However, the public impact of these violations is the same.

A licensee is fully accountable for all violations committed or permitted by its officers, agents or employees. Rule 33 of State Regulation No. 20. Cf. In re Schneider, 12 N.J. Super. 449 (App.Div. 1951); Essex Holding Co. v. Hock, 136 N.J.L.

28 (Sup.Ct. 1947). Nor can it escape the consequences of the occurrence of violations, such as hereinabove related, merely, because it has no knowledge thereof. Rule 33 of State Regulation No. 20.

A liquor license is a privilege. Mazza v. Cavicchia, 15 N.J. 498 (1954). The liquor business is one that must be carefully supervised and it should be conducted by reputable people in a reputable manner. Zicherman v. Driscoll, 133 N.J.L. 586 (1946).

The conduct of the licensed premises, as disclosed by the record in this case, which reflects five similar violations within a three-year period, makes it manifest that this licensee should be disassociated from the alcoholic beverage industry. For the purposes of sound enforcement and effective alcoholic beverage control, coupled with the desire to bring about a more respectful adherence to the law and regulations, I am convinced that the only appropriate penalty herein is revocation. Cf. Re Sabbia, Bulletin 1664, Item 1; Butler Oak Tavern v. Division of Alcoholic Beverage Control, 20 N.J. 373.

Accordingly, it is, on this 20th day of March 1968,

ORDERED that Plenary Retail Consumption License C-93, issued by the Board of Alcoholic Beverage Control for the City of Paterson to Ja-Da, Inc., t/a Brick's Tavern, for premises 205-207 Presidential Blvd., Paterson, be and the same is hereby revoked, effective immediately.

JOSEPH M. KEEGAN  
DIRECTOR

4. APPELLATE DECISIONS - SCHUJAS v. BRIDGETON.

#3283	)	
BILL SCHUJAS, t/a UNCLE BILL'S	)	
BAR and LIQUORS,	)	
	)	ON APPEAL
Appellant,	)	CONCLUSIONS
	)	AND ORDER
v.	)	
	)	
CITY COUNCIL OF THE CITY OF	)	
BRIDGETON,	)	
	)	
Respondent.	)	

-----  
Frederick B. Edwards, Esq., Attorney for Appellant.  
Arnold L. Bauer, Esq., Attorney for Respondent.

BY THE DIRECTOR:

The Hearer has filed the following report herein:

Hearer's Report

This is an appeal from the action of respondent City Council of the City of Bridgeton (hereinafter respondent) whereby on September 5, 1967, it denied appellant's application for a place-to-place transfer of his plenary retail consumption license from premises on the southeast corner of South Pearl and East Commerce Streets to premises at 47 North Laurel Street, Bridgeton.

Appellant alleges in his petition of appeal (1) that respondent failed to state reasons for its action in denying appellant's application for transfer of the license, in violation of Rule 10 of State Regulation No. 6, and (2) that its action was arbitrary and capricious and should be reversed.

Respondent's answer denies the aforesaid allegations contained in appellant's petition of appeal and contends that respondent acted within its sound discretion in denying appellant's application for transfer of the license in question.

The appeal was heard de novo, with full opportunity for counsel to present testimony under oath and cross-examine witnesses. Rule 6 of State Regulation No. 15.

Appellant testified that on September 5, 1967, when the matter was heard, Rev. McCleave, representing the ministerial association, spoke in opposition to the occupancy of the Cumberland Hotel by its present inhabitants, as well as to the operation of appellant's licensed premises which occupy part of the hotel. Appellant further testified that Rev. McCleave voiced the opinion that if appellant's application for transfer of his license were approved, another liquor license would be transferred to the hotel. Appellant also stated that it is his understanding that the hotel in which his licensed premises are located is to be torn down, which prompted him to seek the transfer in question. Appellant described the location of the building on North Laurel Street to be half way between Washington and Commerce Streets and that, on the corner of North Laurel and Washington Streets, there is a licensed premises called the Clover Bar. Also, there is a licensed premises known as George's Bar located on East Commerce Street. Appellant stated that he presently operates a restaurant on North Laurel Street which is located between the Clover Bar and the premises sought for transfer of the license.

Matthew Aaron, city clerk, produced a petition presented to respondent prior to the hearing containing the signatures of approximately one hundred twenty-five objectors. Mr. Aaron testified that at the said hearing Rev. McCleave, Rev. Mooney, Mr. Sobelman and Lou Totoro (who formerly had an interest in the Clover Bar) spoke in opposition to the transfer in question and the attorney for appellant spoke in favor of the transfer. All seven members of respondent (none of whom made any remarks) voted unanimously to deny appellant's application for transfer.

Fanny S. Cowell (president of respondent) corroborated the fact that only the attorney for appellant spoke in favor of the transfer. She said that Mr. Totoro objected to the transfer on the grounds that it would be necessary for his children to pass the proposed premises in order to get to the downtown area of the city. Councilwoman Cowell further stated that the petition wherein objectors were listed contained objections from many business firms on both sides of North Laurel Street to the transfer of the license. She said that the Police Chief opposed the transfer not only because another licensed premises is now in close proximity to the premises sought by appellant but because appellant also operates a restaurant on North Laurel Street located close to the proposed site, which presents a police problem because of fights and disorderly conduct both inside and outside thereof.

Councilwoman Cowell further said that, after the public hearing, a recess was called, the matter was discussed by the

members of respondent and, after respondent reconvened, on "the roll call, everybody voted 'No' to the transfer." She further testified that "I looked at everyone, to see if they wanted to speak, it didn't seem necessary to say anything further, and I expected, if Mr. Edwards wasn't satisfied, that he would ask for an explanation, which he didn't do. He and his client got up and left." Councilwoman Cowell further testified that she is very familiar with the area and that the transfer of the license to the premises sought would tend to present problems by adding another liquor outlet in the ward. Moreover, she said, "I have stated before, we are not against transferring licenses, not at all, when a suitable location is found and presented." Another reason given by Councilwoman Cowell for voting in opposition to the transfer was that many teenagers gather at appellant's "all night restaurant" on North Laurel Street, which would be located "between two bars."

Appellant urged that the answer filed by respondent be suppressed because respondent failed to give reasons for its action pursuant to Rule 10 of State Regulation No. 6. Appellant's attorney spoke in support of the transfer and heard those who made oral objections at the time. I am satisfied that appellant was not prejudiced by respondent's failure to comply with that part of the rule in question so as to invalidate the hearing below. Moreover, full opportunity was granted to appellant at this de novo hearing to produce testimony and cross-examine witnesses. In any event, the requirement of the rule is procedural, not jurisdictional. Cf. Heven, Inc. v. Jackson, Bulletin 1775, Item 3.

Appellant herein, in order to warrant a reversal of the action of respondent, must show by a preponderance of the evidence that respondent abused its discretion in denying the application for the transfer of appellant's license. To meet this burden, it is necessary that appellant show manifest error or some abuse of discretion on the part of respondent. Nordco, Inc. v. State, 43 N.J. Super. 277; Rajah Liquors v. Div. of Alcoholic Beverage Control, 33 N.J. Super. 598 (App. Div. 1955).

A transfer of a liquor license to other premises is not an inherent or automatic right. The issuing authority may grant or deny the transfer in the exercise of reasonable discretion. If denied on reasonable grounds, such action will be affirmed. Richmon, Inc. v. Trenton, Bulletin 1560, Item 4, and cases cited therein.

The number of licenses which may be permitted in any particular area, and due determination as to whether or not a license should be transferred to a particular location, come within the sound discretion of the issuing authority. The Director's function on appeal is not to substitute his opinion for that of the issuing authority but, rather, to determine whether proper cause exists for its opinion and, if so, to affirm irrespective of his personal views. Rothman v. Hamilton, Bulletin 1091, Item 1; Food Fair Stores of New Jersey, Inc. v. Union, Bulletin 1129, Item 1; The Grand Union Company v. West Orange, Bulletin 1155, Item 3.

In Fanwood v. Rocco, 59 N.J. Super. 306, 321 (App. Div. 1960), Judge Gaulkin stated:

"The Legislature has entrusted to the municipal issuing authority the right and charged it with the duty to issue licenses (R.S. 33:1-24) and place-to-place transfers thereof '[O]n application made



therefor setting forth the same matters and things with reference to the premises to which a transfer of license is sought as are required to be set forth in connection with an original application for license, as to said premises.' N.J.S.A. 33:1-26."

As was stated in Ward v. Scott, 16 N.J. 16, 23 (1954):

"Local officials who are thoroughly familiar with their community's characteristics and interests and are the proper representatives of its people, are undoubtedly the best equipped to pass initially on such applications... And their determinations should not be approached with a general feeling of suspicion, for as Justice Holmes has properly admonished: 'Universal distrust creates universal incompetence.' Graham v. United States, 231 U.S. 474, 480, 34 S.Ct. 148, 151, 58 L.Ed. 319, 324 (1913)."

The court pointed out in Fanwood, supra, at p. 320:

"No person is entitled to either [transfer of a license or issuance of an original license] as a matter of law" and "If the motive of the governing body is pure, its reasons, whether based on morals, economics, or aesthetics, are immaterial."

In the matter sub judice, the municipality did not grant, but denied, the application. The action of respondent may not be reversed by the Director unless he finds "the act of the board was clearly against the logic and effect of the presented facts." Hudson Bergen County Retail Liquor Stores Assn. et al. v. Hoboken et al., 135 N.J.L. 502, at p. 511.

By stipulation of the parties herein, it was agreed that the distance between the present premises of appellant and the premises sought to be licensed is approximately two thousand feet. There has been no testimony presented by appellant which in any way indicates a need for or convenience to be served by another liquor outlet in the area of the proposed premises. It is apparent, by the unanimous vote of the members of respondent, that they were of the opinion that no need existed for a license at the proposed site or that the public interest would best be served by the transfer thereto. There is nothing before me in the record which indicates that respondent's action in denying appellant's application was inspired by improper motives. In view of the distance between the present and the proposed premises, the transfer would, in effect, place an additional liquor license in a different section of the municipality.

After considering all of the evidence herein, I conclude that appellant has failed to sustain the burden of establishing that the action of respondent was arbitrary, capricious or constituted an abuse of its discretionary power. Rule 6 of State Regulation No. 15. Hence I recommend that an order be entered affirming respondent's action and dismissing the appeal.

#### Conclusions and Order

No exceptions to the Hearer's report were filed pursuant to Rule 14 of State Regulation No. 15.



Having carefully considered the record herein, including the exhibits, the Hearer's report and the recommendations, I concur in the findings and conclusions of the Hearer and adopt them as my conclusions herein.

Accordingly, it is, on this 22nd day of March 1968,

ORDERED that the action of respondent City Council be and the same is hereby affirmed, and that the appeal herein be and the same is hereby dismissed.

JOSEPH M. KEEGAN  
DIRECTOR

5. DISCIPLINARY PROCEEDINGS - GAMBLING (NUMBERS AND HORSE RACE BETS) - LOTTERY (RAFFLE) - SALE IN VIOLATION OF STATE REGULATION NO. 38 - LICENSE SUSPENDED FOR 75 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary  
Proceedings against

ANNA ROJZEN  
t/a Ann's Tavern  
38 Fleming Avenue  
Newark, N. J.

)  
) CONCLUSIONS  
) AND ORDER  
)  
)

Holder of Plenary Retail Consumption  
License C-23, issued by the Municipal  
Board of Alcoholic Beverage Control  
of the City of Newark

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John J. Smyth, Esq., Attorney for Licensee.  
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic  
Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to charges alleging (1) and (2) that on divers dates between November 10 and 28, 1967 she variously permitted the acceptance of numbers and horse race bets and the conduct of a raffle on the licensed premises, in violation of Rules 6 and 7 of State Regulation No. 20, and (3) that on Sunday, January 21, 1968, she sold a pint bottle of whiskey for off-premises consumption, in violation of Rule 1 of State Regulation No. 38.

Absent prior record, the license will be suspended on charges 1 and 2 for sixty days (Re Charles & Paul Riviera Lounge, Inc., Bulletin 1750, Item 4) and on the third charge for fifteen days (Re Doyle's Tavern, Inc., Bulletin 1782, Item 4), or a total of seventy-five days, with remission of five days for the plea entered, leaving a net suspension of seventy days.

Accordingly, it is, on this 27th day of March 1968,

ORDERED that Plenary Retail Consumption License C-23, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark to Anna Rojzen, t/a Ann's Tavern, for premises 38 Fleming Avenue, Newark, be and the same is hereby suspended for seventy (70) days, commencing at 2 a.m. Wednesday, April 3, 1968, and terminating at 2 a.m. Wednesday, June 12, 1968.

JOSEPH M. KEEGAN  
DIRECTOR

6. ADVERTISING - WINE TASTINGS - PARTICIPATION BY MANUFACTURERS AND WHOLESALERS AND THEIR EMPLOYEES PROHIBITED WHEN TASTING ATTENDED BY MEMBERS OF PUBLIC - EXCEPTION IN FAVOR OF TASTING INCIDENT TO MERCHANDISE OR PACKAGING EXHIBIT ATTENDED BY LICENSEES AND EMPLOYEES.

TO ALL MANUFACTURERS AND WHOLESALERS:

During the past few months I have noted a marked increase in the number of instances where it has become necessary for members of my staff to advise licensees and their employees to cancel participation in functions commonly known as "wine tastings".

It has been the Division's long-standing position that to allow wine tastings - attended by members of the public - whether general public or limited to members of specific groups or organizations, creates obvious dangers and can only lead to abuses in the field of alcoholic beverage control.

It has been consistently ruled that promotional activities by solicitors or missionary men seeking to further the sales of alcoholic beverage products are such activities as are included in the broad definition of "sale" contained in the New Jersey Alcoholic Beverage Law in R.S. 33:1-1(w). Inasmuch as "sales" to consumers are beyond the scope of your license, such activity is unlawful. It is also illegal for anyone to aid and abet such unlawful activity. Accordingly, neither you nor your employees may participate in any "wine tasting".

This does not preclude the continued issuance of special permits to State licensees to allow the service of alcoholic beverages, incidental to a merchandise or packaging exhibit - attendance being limited to licensees and bona fide employees of licensees only. To insure strict adherence to the law, licensees applying for such permits will be required to comply rigidly with requisites to be stipulated in each permit hereafter issued.

JOSEPH M. KEEGAN  
DIRECTOR

Dated: May 6, 1968

7. DISCIPLINARY PROCEEDINGS - GAMBLING (NUMBERS BETS) - LICENSE  
SUSPENDED FOR 60 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary  
Proceedings against

1401 Arctic Corp.  
t/a Ike's Corner  
1401-1403 Arctic Avenue  
Atlantic City, N. J.

CONCLUSIONS  
AND ORDER

Holder of Plenary Retail Consumption  
License C-49, issued by the Board of  
Commissioners of the City of Atlantic  
City.

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Edward I. Feinberg, Esq., Attorney for Licensee.  
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic  
Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to charges (1) and (2)  
alleging that on November 18, 29, December 5 and 8, 1967, it  
permitted acceptance of numbers bets on the licensed premises,  
in violation of Rules 6 and 7 of State Regulation No. 20.

Absent prior record, the license will be suspended  
for sixty days, with remission of five days for the plea  
entered, leaving a net suspension of fifty-five days. Re Jesswell,  
Inc., Bulletin 1778, Item 4.

Accordingly, it is, on this 27th day of March 1968,

ORDERED That Plenary Retail Consumption License C-49,  
issued by the Board of Commissioners of the City of Atlantic  
City to 1401 Arctic Corp., t/a Ike's Corner, for premises 1401-  
1403 Arctic Avenue, Atlantic City, be and the same is hereby  
suspended for fifty-five (55) days, commencing at 7 a.m. Wednesday,  
April 3, 1968, and terminating at 7 a.m. Tuesday, May 28, 1968.

JOSEPH M. KEEGAN  
DIRECTOR

8. DISCIPLINARY PROCEEDINGS - GAMBLING (NUMBERS BETS) - LICENSE  
SUSPENDED FOR 60 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary  
Proceedings against

DOMINICK CAIAZZO  
t/a Friend's Tavern  
16 So. Center Street  
Orange, N. J.

CONCLUSIONS  
AND ORDER

Holder of Plenary Retail Consumption  
License C-40, issued by the Municipal  
Board of Alcoholic Beverage Control  
of the City of Orange.

Alfonso C. Viscione, Esq., Attorney for Licensee.  
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic  
Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to charges (1) and (2)  
alleging that on September 13, 16, 19, 22, 27, 30 and October 6,  
1967, he permitted acceptance of numbers bets on the licensed  
premises, in violation of Rules 6 and 7 of State Regulation  
No. 20.

Absent prior record, the license will be suspended  
for sixty days, with remission of five days for the plea entered,  
leaving a net suspension of fifty-five days. Re Jesswell, Inc.,  
Bulletin 1778, Item 4.

Accordingly, it is, on this 26th day of March 1968,

ORDERED that Plenary Retail Consumption License C-40,  
issued by the Municipal Board of Alcoholic Beverage Control of  
the City of Orange to Dominick Caiazzo, t/a Friend's Tavern,  
for premises 16 So. Center Street, Orange, be and the same is  
hereby suspended for fifty-five (55) days, commencing at 2 a.m.  
Tuesday, April 2, 1968, and terminating at 2 a.m. Monday,  
May 27, 1968.

JOSEPH M. KEEGAN  
DIRECTOR

9. DISCIPLINARY PROCEEDINGS - ORDER LIFTING SUSPENSION FOR  
BALANCE OF TERM UPON PROOF OF CORRECTION OF UNLAWFUL  
SITUATION.

In the Matter of Disciplinary  
Proceedings against

111 PART ST. CORPORATION  
t/a The Galaxy  
111-113 Park Street  
Orange, N. J.

SUPPLEMENTAL  
ORDER

Holder of Plenary Retail Consumption  
License C-25 issued by the Municipal  
Board of Alcoholic Beverage Control  
of the City of Orange.

Nathaniel S. Goldring, Esq., Attorney for Licensee  
David S. Piltzer, Esq., Appearing for Division of Alcoholic  
Beverage Control

BY THE DIRECTOR:

On February 19, 1968, Conclusions and Order were entered  
herein suspending the license for the balance of its term, with  
leave to the licensee or any bona fide transferee of the license  
to file verified petition establishing correction of the unlawful  
situation for lifting of the suspension of the license on or  
after March 22, 1968, after the license had been suspended for  
twenty-five days. Re 111 Park St. Corporation, Bulletin 1786,  
Item 4.

It appearing from verified petition submitted by the  
licensee that the unlawful situation has been corrected, I shall  
grant the petition requesting termination of the suspension,  
effective immediately.

Accordingly, it is, on this 28th day of March, 1968,

ORDERED that the suspension heretofore imposed herein  
be and the same is hereby terminated, effective immediately.

JOSEPH M. KEEGAN  
DIRECTOR

10. DISCIPLINARY PROCEEDINGS - SALE TO AND PURCHASE FROM ANOTHER  
RETAILER - LICENSE SUSPENDED FOR 20 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary  
Proceedings against

PAUL A. CROWLEY  
1128 Park Avenue  
Hoboken, N. J.

CONCLUSIONS  
AND ORDER

Holder of Plenary Retail Distribution  
License D-7 issued by the Municipal  
Board of Alcoholic Beverage Control  
of the City of Hoboken

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Licensee, Pro se

Walter H. Cleaver, Esq., Appearing for Division of Alcoholic  
Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on  
divers days between January 7 and September 5, 1967, he sold  
alcoholic beverages to and purchased or obtained alcoholic  
beverages from another retailer, in violation of Rule 15 of State  
Regulation No. 20.

Licensee has a previous record of suspension of  
license by the municipal issuing authority for five days  
effective September 16, 1957, for sale in violation of State  
Regulation No. 38 and employing an unqualified person.

The prior record of suspension for dissimilar violations  
occurring more than five years ago disregarded, the license will  
be suspended for twenty days, with remission of five days for the  
plea entered, leaving a net suspension of fifteen days. Re  
Fountainebleau, Bulletin 1547, Item 13.

Accordingly, it is, on this 26th day of March, 1968,

ORDERED that Plenary Retail Distribution License D-7,  
issued by the Municipal Board of Alcoholic Beverage Control  
of the City of Hoboken to Paul A. Crowley for premises 1128 Park  
Avenue, Hoboken, be and the same is hereby suspended for  
fifteen (15) days, commencing at 9:00 a.m. Tuesday, April 2,  
1968, and terminating at 9:00 a.m. Wednesday, April 17, 1968.

JOSEPH M. KEEGAN  
DIRECTOR

11. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY  
LABELED - LICENSE SUSPENDED FOR 10 DAYS - NO REMISSION  
FOR PLEA ENTERED AT HEARING.

In the Matter of Disciplinary )  
Proceedings against )

CHARLES L. ZIEGLER )  
t/a "Town Tavern" )  
10 Van Ness Avenue )  
Little Falls, N. J. )

CONCLUSIONS  
AND ORDER

Holder of Plenary Retail Consumption )  
License C-1 issued by the Township )  
Committee of the Township of Little )  
Falls )

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Licensee, Pro se

Walter H. Cleaver, Esq., Appearing for Division of Alcoholic  
Beverage Control

BY THE DIRECTOR:

At the time of hearing, licensee pleaded non vult  
to a charge alleging that on September 27, 1967, he possessed  
an alcoholic beverage in a bottle bearing a label which did not  
truly describe its contents, in violation of Rule 27 of State  
Regulation No. 20.

Absent prior record, the license will be suspended for  
ten days (Re Anderson Hotel Incorporated, Bulletin 1767, Item 12)  
without remission for the plea untimely entered at the hearing  
(Re Mulhearn, Bulletin 1752, Item 3).

Accordingly, it is, on this 26th day of March, 1968,

ORDERED that Plenary Retail Consumption License C-1,  
issued by the Township Committee of the Township of Little Falls  
to Charles L. Ziegler, t/a "Town Tavern", for premises 10 Van Ness  
Avenue, Little Falls, be and the same is hereby suspended for ten  
(10) days, commencing at 2:00 a.m. Wednesday, March 27, 1968, and  
terminating at 2:00 a.m. Saturday, April 6, 1968.

JOSEPH M. KEEGAN  
DIRECTOR



12. DISCIPLINARY PROCEEDINGS - ORDER LIFTING SUSPENSION FOR  
BALANCE OF TERM UPON PROOF OF CORRECTION OF UNLAWFUL  
SITUATION.

In the Matter of Disciplinary  
Proceedings against

DIESEL INN, INCORPORATED  
Buena-Hammonton Road  
Buena, N. J.

SUPPLEMENTAL  
ORDER

Holder of Plenary Retail Consumption  
License C-13, issued by the Borough  
Council of the Borough of Buena

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Adamo & Pagliughi, Esqs., by Martin L. Pagliughi, Esq.,  
Attorneys for Licensee

David S. Piltzer, Esq., Appearing for Division of Alcoholic  
Beverage Control

BY THE DIRECTOR:

On February 21, 1968, Conclusions and Order were  
entered herein suspending the license for the balance of its  
term, with leave to the licensee or any bona fide transferee of  
the license to file verified petition establishing correction  
of the unlawful situation for lifting of the suspension of the  
license not sooner than ten days after the filing of such  
petition. Re Diesel Inn, Incorporated, Bulletin 1786, Item 6.

It appearing from verified petition submitted by the  
licensee that the unlawful situation has been corrected, I shall  
grant the petition requesting termination of the suspension,  
effective 3 a.m. Friday, April 5, 1968.

Accordingly, it is, on this 26th day of March 1968,

ORDERED that the suspension heretofore imposed herein  
be and the same is hereby terminated, effective 3 a.m. Friday,  
April 5, 1968.

JOSEPH M. KEEGAN  
DIRECTOR

13. DISCIPLINARY PROCEEDINGS - SALE TO MINORS - LICENSE SUSPENDED FOR 20 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary  
Proceedings against

PAUL FANUCCI  
t/a Village Inn  
Martinelli Avenue  
Buena  
PO Minotola, N.J.

CONCLUSIONS  
AND ORDER

Holder of Plenary Retail Consumption  
License C-2 issued by the Borough  
Council of the Borough of Buena

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Licensee, Pro se  
Walter H. Cleaver, Esq., Appearing for Division of Alcoholic  
Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on January 19, 1968, he sold drinks of alcoholic beverages to four minors, three age 18 and one age 19, in violation of Rule 1 of State Regulation No. 20.

Absent prior record, the license will be suspended for twenty days, with remission of five days for the plea entered, leaving a net suspension of fifteen days. Re Norwood Restaurant & Lounge, Inc., Bulletin 1668, Item 6.

Accordingly, it is, on this 27th day of March, 1968,

ORDERED that Plenary Retail Consumption License C-2, issued by the Borough Council of the Borough of Buena to Paul Fanucci, t/a Village Inn, for premises on Martinelli Avenue, Buena, be and the same is hereby suspended for fifteen (15) days, commencing at 3:00 a.m. Wednesday, April 3, 1968, and terminating at 3:00 a.m. Thursday, April 18, 1968.

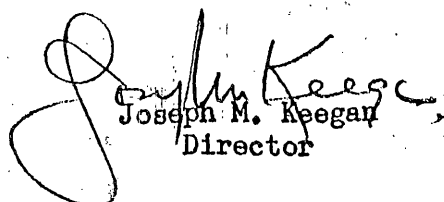
JOSEPH M. KEEGAN  
DIRECTOR

14. STATE LICENSES - NEW APPLICATIONS FILED.

S & S Beverage Co., Inc., 1501-09 Reading Ave. Atlantic City, N.J.  
Application filed May 6, 1968 for place-to-place transfer of Additional Warehouse License AW-66, from 118-120 Spruce Street, North Wildwood, New Jersey, to 120 Spruce Street (Rear), North Wildwood, New Jersey

Flagstaff Liquor Co. 536 Fayette Street, Perth Amboy, N. J.  
Application filed May 9, 1968 for place-to-place transfer of Plenary Wholesale License W-22 to include additional space.

L. A. Piccirillo, Inc., 71-77 Nichols St., Newark, N. J.  
Application filed May 15, 1968 for additional warehouse license, pursuant to State Beverage Distributor's License SBD-11, for premises 19-41 Chapel Street (a/k/a 31-33 Chapel Street), Newark, New Jersey.

  
Joseph M. Keegan  
Director